

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CHRISTOPHER GRAHAM, on behalf of)
himself and all others similarly situated,) Civil Action No.: 1:19-cv-00486-DKC
)
Plaintiff,)
)
v.)
)
FAMOUS DAVES OF AMERICA, INC., and)
DOE DEFENDANTS 1-10,)
)
Defendants.)
)

PLAINTIFF'S MOTION FOR RELIEF REGARDING UNCLAIMED SETTLEMENT AMOUNT

Plaintiff Christopher Graham (“Plaintiff”)¹, by and through his undersigned counsel, hereby respectfully moves this Court for entry of an Order requiring the Claims Administrator, prior to making any *Cy Pres* Distribution pursuant to the terms of the Settlement, to make a secondary distribution to Settlement Class members who cashed their initial Settlement Checks, permit the payment of fees and costs to the Claims Administrator for this supplemental distribution and the prior settlement distribution, and award supplemental attorney’s fees.

Class Counsel has conferred with counsel for the Defendant who has indicated that Defendant takes no position on these requests.

In support thereof, Plaintiff relies on the attached supporting memorandum of law.

WHEREFORE, for the reasons set forth in Plaintiff's Memorandum of Law in Support of this Motion, Plaintiff respectfully requests that the Court:

¹ All capitalized terms not defined herein shall have the same meaning as set forth in the Settlement Agreement previously provided to the Court.

- a. Enter an order requiring the Claims Administrator to make a pro rata distribution of the remaining unclaimed Settlement Amount to the Settlement Class members who cashed their initial Settlement Checks, with any remaining unclaimed funds to be subject to the *Cy Pres* Distribution, and
- b. Enter an order permitting the Claims Administrator to deduct fees and costs for this supplemental distribution as well as compensate for the outstanding amount due arising from the initial settlement distribution. The Claims Administrator has indicated this total amount will not exceed \$5,070;
- c. Enter an order granting attorney's fees of one-third, the same percentage awarded in the initial distribution, of the unclaimed Settlement Amount;
- d. For such further and other relief as this Court deems appropriate.

Dated: June 10, 2024

Respectfully Submitted,

/s/ E. David Hoskins

E. David Hoskins, No. 06705

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*Counsel for Plaintiff and the Settlement
Class*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served electronically by ECF on counsel of record for all parties on this 10th day of June, 2024.

/s/ E. David Hoskins

E. David Hoskins, No. 06705